

## Message Text

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ACTION IO-14

INFO OCT-01 EUR-12 ISO-00 ACDA-07 PM-04 NSC-05 SP-02  
SS-15 L-03 H-01 CIAE-00 INR-07 NSAE-00 DODE-00  
AF-10 ARA-06 EA-07 NEA-10 /104 W  
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R 031332Z JUN 77  
FM USMISSION USUN NEW YORK  
TO SECSTATE WASHDC 3861  
INFO AMEMBASSY BONN  
AMEMBASSY LONDON  
AMEMBASSY MOSCOW  
AMEMBASSY PARIS  
USMISSION NATO

C O N F I D E N T I A L USUN 1753

E.O. 11652: GDS  
TAGS: PFOR, UN, UR  
SUBJ: NEW GROMYKO LETTER ON NON-USE OF FORCE TREATY

REF: STATE 127007

1. ON 2 JUNE THE UN CIRCULATED AS A/32/94 A LETTER FROM  
FM GROMYKO RENEWING THE 1976 SOVIET PROPOSAL FOR "CONCLUSION  
OF A WORLD TREATY ON THE NON-USE OF FORCE IN INTERNATIONAL  
RELATIONS". IN FORMAL TERMS, THE LETTER RESPONDS TO THE  
31ST GA'S INVITATION TO MEMBER STATES TO TRANSMIT VIEWS  
AND SUGGESTIONS ON THE NUF PROPOSAL TO THE SYG BY 1 JUNE.

2. THE GROMYKO LETTER BEGINS BY ASSERTING THAT THE SOVIET  
PROPOSAL "HAS EVOKED A BROAD POSITIVE RESPONSE THROUGHOUT  
THE WORLD". IT WILL BE RECALLED THAT BEST EVIDENCE SUGGESTED  
THE ORIGIN OF THE PROPOSAL LAY WITH THE CPSU AND FIRST  
SECRETARY BREZHNEV; IT WAS THE SUBJECT OF THE MOST ASSIDUOUS  
WORK BY DEPFONMIN KUZNETSOV DURING THE 31ST GA AND, AT THE  
SAME TIME, CAUTIOUSLY VEILED DISPARAGEMENT BY SOV DEL STAFF.  
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3. THE NEW GROMYKO LETTER ASSERTS THAT THE BENEFITS OF  
A NEW NUF TREATY WOULD BE (A) CREATING "FAVOURABLE CONDITIONS  
FOR CURBING THE ARMS RACE AND ADVANCING ON THE ROAD TO  
DISARMAMENT", (B) SERVING "AS A POWERFUL STIMULUS FOR THE  
SETTLEMENT OF EXISTING DISPUTES AND DISAGREEMENTS BETWEEN  
STATES BY PEACEFUL MEANS", (C) ENHANCING "THE EFFECTIVENESS

OF THE UNITED NATIONS", AND (D) AS "AN IMPORTANT FACTOR IN DEVELOPING CO-OPERATION BETWEEN STATES IN ALL AREAS OF PEACEFUL ACTIVITY FOR THE VENEFIT OF PEOPLES." THE CALL TO ACTION IS ON UN MEMBERS "AFTER MAKING A DETAILED AND THROUGH ANALYSIS OF THE SOVIET PROPOSAL... BEGIN BRACKETS TO END BRACKETS ADOPT A CONSTRUCTIVE POSITION AND MAKE THEIR OWN POSITIVE CONTRIBUTION TO THE PRACTICAL REALIZATION OF THIS PROPOSAL" AT THE 32D GA. SOVIET READINESS "TO ENTER WITHOUT DELAY INTO AN AGREEMENT WITH OTHER STATES ON A MUTUALLY ACCEPTABLE TEXT FOR THE TREATY" IS REAFFIRMED.

4. THE SOVIET LETTER SEEMS TO TREAT THE NUF RULE SET FORTH IN ARTICLE 2 OF THE CHARTER AS HAVING THE QUALITY OF A "PRINCIPLE" ONLY, AND, APPARENTLY, AS NOT COMPRISING A CONCRETE LEGAL OBLIGATION. GROMYKO WRITES THAT "IF THE PRINCIPLE OF THE NON-USE OF FORCE WERE TO ACQUIRE THE FORM OF A TREATY OBLIGATION, AND WERE TO BE GIVEN CONCRETE EXPRESSION AND DEVELOPED, THIS WOULD UNDOUBTEDLY INCREASE THE RESPONSIBILITY OF ALL STATES PARTIES TO SUCH A TREATY FOR THE STRICT OBSERVANCE OF THIS PRINCIPLE."

5. AS TO THE SUBSTANCE OF THE TREATY, GROMYKO RECALLS THE 1976 SOVIET DRAFT (SEE A/31/243 OF 28 SEPT). HE TAKES PAINS TO ASSURE THAT WHILE THE NON-USE OF FORCE PRINCIPLE MUST BE STRICTLY OBSERVED BY STATES IN THE CONDUCT OF THEIR INTERNATIONAL RELATIONS, NATIONAL LIBERATION STRUGGLES AGAINST "AGGRESSION" ARE ENTIRELY LEGITIMATE. FOR THE MIDDLE EAST CONTEXT HE EXPENDS THE CHARTER'S RIGHT OF SELF-DEFENSE SO THAT IT MAY BE RIGHTFULLY INVOKED IN ANY CASE WHERE THERE HAS BEEN CONFIDENTIAL

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"AGGRESSION" (RATHER THAN MORE NARROWLY AND BRIEFLY, AS THE CHARTER PUTS IT, IN EVENT OF "AN ARMED ATTACK"). HE WRITES "IT IS OBVIOUS THAT ANY STATE WHICH IS THE VICTIM OF AGGRESSION MAY IN COMPLETE CONFORMITY WITH ITS RIGHT OF INDIVIDUAL AND COLLECTIVE SELF-DEFENCE, ESTABLISHED IN ARTICLE 51 OF THE UNITED NATIONS CHARTER, REPULSE THAT AGGRESSION AND STRUGGLE TO ELIMINATE ITS CONSEQUENCES". AS TO WARS OF NATIONAL LIBERATION IN THE TRADITIONAL AFRICAN COLONIAL CONTEXT, GROMYKO STATES THAT "THE TREATY ALSO DOES NOT INFRINGE THE INALIENABLE RIGHT OF COLONIAL PEOPLES TO STRUGGLE FOR THEIR FREEDOM AND INDEPENDENCE USING ALL MEANS AVAILABLE TO THEM."

6. A PARALLEL LETTER FROM CZECH FM CHNOUPEK HAS BEEN CIRCULATED ON THE SAME DAY AS A/32/95. PRESUMABLY THE OTHER EE'S WILL LIKEWISE ADDRESS THE UN, AND THE USSR MAY ALSO BE ABLE TO PROMPT A FEW AF'S TO DO SO AS WELL.

7. WE HAVE HEARD NO HINT OF INTEREST IN THE NUF PROPOSAL FROM ANY QUARTER HERE AT THE UN DURING 1977.

8. WE HAVE JUST RECEIVED THE DESCRIPTION OF THE MEETING  
BETWEEN THE ACTING SECRETARY AND DOBRYNIN AND THE NON-PAPER  
LEFT BY THE LATTER ON 31 MAY (REFTEL). NOT SURPRISINGLY,  
THE WAR-OF-NATIONAL-LIBERATION EXCEPTIONS MENTIONED PARA 5  
THIS TEL DO NOT APPEAR IN THE BILATERAL NON-PAPER.  
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## Message Attributes

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**Channel Indicators:** n/a  
**Current Classification:** UNCLASSIFIED  
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**Disposition Approved on Date:**  
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**Disposition Date:** 22 May 2009  
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**Status:** NATIVE  
**Subject:** NEW GROMYKO LETTER ON NON-USE OF FORCE TREATY  
**TAGS:** PFOR, UR, UN  
**To:** STATE  
**Type:** TE  
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**Review Markings:**  
Margaret P. Grafeld  
Declassified/Released  
US Department of State  
EO Systematic Review  
22 May 2009  
**Markings:** Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 22 May 2009